

NEW HAMPSHIRE SUPREME COURT

3JX ORAL ARGUMENT LIST

November 16, 2006

The cases listed are scheduled for oral argument on November 16, 2006. The order of the argument is subject to change by the court. **PLEASE NOTE THE CHECK-IN TIME FOR YOUR CASE.**

3JX Procedure

The 3JX procedure is described in Supreme Court Rule 12-D. Cases will be heard by a panel of three supreme court justices. Each side will receive five minutes of uninterrupted argument; any questions will be asked after the allotted time has expired. Persons presenting oral argument should assume that the justices are familiar with the facts and should address the merits of their argument.

The panel's written decision must be unanimous. If the justices disagree or believe that the case should be the subject of a full written opinion, it will be referred to the full court in accordance with Rule 12-D.

The moving party is responsible for ensuring that any portions of the record necessary to decide the issues presented by the case are available for court review. (See generally Supreme Court Rules 13 and 14).

N O T I C E S

IT IS A CLASS B FELONY TO CARRY A FIREARM OR DEADLY WEAPON, AS DEFINED IN RSA 625:11, V, INTO A COURTROOM OR AREA USED BY A COURT.

ANY PERSON WHO REQUIRES AN AUXILIARY AID TO HEAR ORAL ARGUMENT SHOULD ADVISE THE CLERK OF COURT AS FAR IN ADVANCE OF ORAL ARGUMENT AS POSSIBLE SO THAT THE EQUIPMENT CAN BE AVAILABLE.

Thursday, November 16, 2006, beginning at 9:30 a.m.:

Check-in 9:00 a.m.:

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|--------------|--|----|---|
| 1. 2006-0093 | Appeal of Gale Cossette
(Department of Education)
M&R (Stanley J. Mullaney) for Gale Cossette (5 min.)
SLKS&L (Barbara F. Loughman) for Milton School District (5 min.)
Attorney General | | |
| 2. 2006-0129 | Appeal of LRGHealthcare d/b/a Lakes Region General Hospital
(Department of Labor)
WW&F (Michael J. Fontaine) for LRGHealthcare (5 min.)
B&M (Gary S. Harding) for Murphy & Beane (5 min.)
Attorney General | | |
| 3. 2005-0705 | State of New Hampshire
Attorney General
(Susan P. McGinnis)
(5 min.) | v. | William Dodge
Appellate Defender
(Christopher M. Johnson)
(5 min.) |
| 4. 2005-0767 | State of New Hampshire
Attorney General
(Nicholas P. Cort)
(5 min.) | v. | Leo Traverse, Jr.
Montieth L/O
(Richard Monteith, Jr.)
(5 min.) |
| 5. 2005-0893 | In the Matter of Catherine Gilman and George Gilman, III
Marshall L/O (Keri J. Marshall) for Catherine Gilman (5 min.)
R&F (Peter A. Riley) for George Gilman, III (5 min.) | | |

Check-in 10:00 a.m.:

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| 6. 2005-0930 | Chalet Susse International,
Inc.
BBKF&G
(Beth R. Fernald)
(5 min.) | v. | Town of Wilton and Town of Wilton
Planning Board
TC&M
(Thomas P. Mullins)
(5 min.) |
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HICKS, J., DISQUALIFIED

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| 7. 2006-0103 | State of New Hampshire
Attorney General
(Nicholas P. Cort)
(5 min.) | v. | Michael Caico
Horan L/O
(David A. Horan)
(5 min.) |
| 8. 2006-0132 | State of New Hampshire
Attorney General
(Nicholas P. Cort)
(5 min.) | v. | Thomas P. Hersey
Appellate Defender
(Christopher M. Johnson)
(5 min.) |
| 9. 2005-0901 | Kalika, LLC
W&N
(Gregory E. Michael)
(15 min.) | v. | Boston & Maine Corporation a/k/a
Guiford Transportation Industries,
Inc.
R&S
(John T. Alexander)
(15 min.) |

HICKS, J., DISQUALIFIED

To be submitted on briefs, without oral argument:

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| 1. 2005-0873 | Eric J. Wiener
WW&F
(Jack S. White) | v. | DKH, Inc. d/b/a City Line Auto Sales
Kennedy L/O
(Donald A. Kennedy) |
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HICKS, J., DISQUALIFIED

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| 2. 2005-0805 | Town of Hudson
HBM&L
(Jon N. Strasburger) | v. | James F. Kelly, Sr.
Filed no brief |
|--------------|---|----|---------------------------------------|

NOTE: The following case has not been scheduled for the November 3JX session, but is on call as a possible replacement case should any of the scheduled cases settle or be continued. Counsel should mark their calendars accordingly. At least five days notice will be given if the replacement case is scheduled for argument. If the following case is not heard at this session of arguments, it will be scheduled during the next oral argument session.

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| 1. 2006-0210 | Appeal of Aman Ullah
(Compensation Appeals Board)
HBM&L (Jon N. Strasburger) for Aman Ullah (5 min.)
DM&B (Eric G. Falkenham) for Sheehan Pipeline Construction (5 min.)
Attorney General |
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October 13, 2006

Attest: _____
Eileen Fox, Clerk